

# Agency 37 - Workers' Compensation Court

## Statutory Authority:

The Nebraska Workers' Compensation Court was created in 1935 pursuant to Article V, Section 1, of the Constitution of the State of Nebraska. Chapter 48, Sections 101-191, 1,110, and 1,113-1,118 of the Revised Statutes of Nebraska provide for the authority and responsibilities of the court. The court also operates in accordance with its Rules of Procedure which have been adopted pursuant to section 48-163. Section 48-1,116, establishes the Compensation Court Cash Fund which was created in 1993 to aid in providing for the expense of administering the Act and for the salaries and expenses of the personnel of the court.

## Vision Statement:

The vision of the court is to impartially, effectively, and efficiently administer and enforce the provisions of the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction.

## Mission Statement:

The mission of the Nebraska Workers' Compensation Court is to administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction.

The principles of the court are to remain impartial in all disputes between employers and employees and other matters that come before the court, to be responsive to the needs of the various parties involved in the workers' compensation system, and to operate programs effectively and efficiently so as to minimize system costs.

## Goals:

1. Adjudicate contested cases in a timely fashion within the formal hearing process and approve settlements
2. Provide a program to resolve disputed issues or cases through informal means
3. Oversee vocational rehabilitation counselors and services that return injured employees to suitable employment
4. Administer programs relating to managed care, independent medical examiners, and maximum fees for medical and hospital services
5. Enforce compliance with insurance coverage, claims handling, reporting, and other obligations in the Nebraska Workers' Compensation Act
6. Administer a program for self insurance in accordance with the Nebraska Workers' Compensation Act
7. Process reports of injury and benefit payments so that data is readily accessible and accurate as reported
8. Inform, educate, and assist workers' compensation system participants
9. Administer the Compensation Court Cash Fund and the Workers' Compensation Trust Fund in accordance with the Nebraska Workers' Compensation Act
10. Conduct the activities of two federal grants as contracted with the U.S. Department of Labor-Bureau of Labor Statistics

## Financial Data:

	Actual FY02	Approp FY03	Request FY04	Recom FY04	Request FY05	Recom FY05
General Fund	0	0	0	0	0	0
Cash Fund	3,482,207	3,812,484	4,354,449	3,918,712	4,032,449	3,993,816
Federal Fund	27,856	27,157	28,460	27,157	28,460	27,157
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
Total Agency	3,510,063	3,839,641	4,382,909	3,945,869	4,060,909	4,020,973

## Agency 37 - Workers' Compensation Court

### Program 526 - Judges' Salaries

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#### Program Objectives:

This program covers the salaries and benefits of the 7 Judges of the Workers' Compensation Court. The salary level is established by statute (section 48-159) at 92.5% of the salary level of the Supreme Court justices.

#### Financial Data:

	Actual FY02	Approp FY03	Request FY04	Recom FY04	Request FY05	Recom FY05
General Fund	0	0	0	0	0	0
Cash Fund	791,421	874,827	874,827	891,148	874,827	909,891
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>791,421</b>	<b>874,827</b>	<b>874,827</b>	<b>891,148</b>	<b>874,827</b>	<b>909,891</b>

#### Performance Measures:

A measure of the court's work is provided in Program 530 as part of the total court effort to promptly resolve disputed cases.

## Agency 37 - Workers' Compensation Court Program 530 - Work Comp Administration

### Program Objectives:

The objectives of this program and the court in general are to impartially, effectively, and efficiently administer and enforce the Nebraska Workers' Compensation Act, except those provisions that are committed to the courts of appellate jurisdiction. The court also conducts a survey of work-related injuries and illnesses and a data collection program for fatal injuries pursuant to two grants from the U.S. Department of Labor - Bureau of Labor Statistics (BLS). All of the goals identified in the Agency Narrative are applicable to this program.

### Financial Data:

	Actual FY02	Approp FY03	Request FY04	Recom FY04	Request FY05	Recom FY05
General Fund	0	0	0	0	0	0
Cash Fund	2,690,786	2,882,390	3,424,355	2,972,297	3,102,355	3,028,658
Federal Fund	27,856	27,157	28,460	27,157	28,460	27,157
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>2,718,642</b>	<b>2,909,547</b>	<b>3,452,815</b>	<b>2,999,454</b>	<b>3,130,815</b>	<b>3,055,815</b>

### Performance Measures:

Description	FY02 Actual	FY03 Current	FY04 Request	FY05 Request
# of appl @ 1st contested stage	1,391	1,400	1,400	1,400
# of appl @ review stage	121	125	125	125
# of appeals to Appeals & Supreme Ct	51	55	55	55
# of motions filed	2,361	2,500	2,500	2,500
# of LSS reviewed for appr/disapp	2,128	2,150	2,150	2,150
# of IDR/Mediation cases	90	100	100	100
# of certified VR counselors	224	225	225	225
# of req for appointment of VR counselor	203	210	210	210
# of VR plans approved	485	500	500	500
Amt pd from Trust Fund for VR training	764,237	775,000	775,000	775,000
# of mngd care plans certified	8	8	8	8
# of employers cvrd by cert mngd plans	2,767	3,000	3,000	3,000
# of employees cvrd by cert mngd plans	105,759	115,000	115,000	115,000
# of physicians approved as IME	234	240	240	240
# of req filed for assign of IME	60	70	70	70
# of cases invest by Compliance	257	275	300	325
# of employers approved for self ins	53	55	60	65
# of employees covered by self ins	139,419	140,000	150,000	160,000
# of injury & pymt rpts filed & processd	120,609	125,000	125,000	125,000
# of calls recd on 800 line	23,151	24,000	24,500	25,000
# of diff types of info items available	139	140	140	140

## Agency 37 - Workers' Compensation Court Program 635 - Acting Judges' Salaries

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### Program Objectives:

This program covers the salaries and benefits for acting judges that may be appointed by the Governor pursuant to section 48-155.01, and for retired judges that may be assigned by the Supreme Court pursuant to section 24-729.

### Financial Data:

	Actual FY02	Approp FY03	Request FY04	Recom FY04	Request FY05	Recom FY05
General Fund	0	0	0	0	0	0
Cash Fund	0	55,267	55,267	55,267	55,267	55,267
Federal Fund	0	0	0	0	0	0
Revolving Fund	0	0	0	0	0	0
Other Fund	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>55,267</b>	<b>55,267</b>	<b>55,267</b>	<b>55,267</b>	<b>55,267</b>

### Performance Measures:

A measure of the court's work is provided in Program 530 as part of the total court effort to promptly resolve disputed cases.